

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
NOVEMBER 10, 2004**

BUREAU OF LAND AND WASTE MANAGEMENT

Hazardous Waste Enforcement

- 1) Order Type and Number: Consent Order 04-16-HW
 Order Date: September 2, 2004
 Respondent: **Crown Metro**
 Facility: Crown Metro
 Location/Mailing Address: 315 Echelon Road
 Greenville, SC 29609

 County: Greenville
 Previous Orders: 99-01-HW (\$0); 99-013-A
 (\$146,250); 99-097-A (\$3,500); 00-
 046-A (\$3,000); 03-103-A (\$16,000)

 Permit Number: SCD 000 417 097
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2002) and the South Carolina
 Hazardous Waste Management Regulations R.61-
 79.262.34(a)(1)(i)/265.173(c), R.61-79.262.34(a)(1)(i)/265.173(d), R.61-
 79.262.34(a)(2), R.61-79.262.34(a)(3), R.61-79.262.34(a), R.61-
 79.262.34(a)(4)/265.52(e), and R.61-79.262.34(a)(1)(i)/265.175(a).

Summary: Crown Metro (Respondent) manufactures textile dye curing agents and epoxy hardeners. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to ensure that each container holding hazardous waste is permanently and legibly marked with the following or equivalent statement: "Hazardous Waste – federal laws prohibit improper disposal;" failure to ensure that each container was appropriately labeled with an EPA Hazardous Waste Number; failure to ensure that the date upon which each period of accumulation begins is clearly marked and visible for inspection on each container; failure to ensure that while being accumulated onsite each container...is labeled or marked clearly with the EPA Hazardous Waste Number and the words: "Hazardous Waste – federal laws prohibit improper disposal;" failure to store hazardous waste for 90 days or less; failure to ensure that the contingency plan included the location and physical description of all emergency equipment...and a brief outline of its capabilities; and, failure to ensure that the container storage areas have a containment system that is designed and operated in accordance with R.61-79.262.34(b).

Action: The Respondent has agreed to: ensure compliance with the South Carolina Hazardous Waste Management Act; ensure that all containers of hazardous waste are managed in accordance with R.61-79.262.34 and R.61-

79.265 Subpart I – Use and Management of Containers; submit to the Department within fifteen (15) days of the execution date of the Order an updated copy of the contingency plan, to include a list of all emergency equipment, its location and physical description; submit to the Department documentation that the loading dock used for temporary hazardous waste storage meets the requirements of R.61-79.265.175-Containment; ensure that hazardous wastes are not stored onsite for greater than 90 days, unless the Department has granted an extension to the 90-day limit; and, pay a civil penalty in the amount of eighteen thousand dollars (\$18,000.00) in twelve monthly installments.

Solid Waste Enforcement

- 2) Order Type and Number: Consent Order 04-02-RW
 Order Date: September 10, 2004
 Respondent: **Chase Environmental Group, Inc.**
 Facility: N/A
 Location/Mailing Address: 11450 Watterson Court
 Louisville, KY 40299
 County: Louisville, KY
 Previous Orders: None
 Permit/ID Number: 3920-16-04-X
 Violations Cited: South Carolina Radioactive Waste
 Transportation and Disposal Act of 1976 (Act), Transportation of
 Radioactive Waste Regulation 61-83 (Regulation), Section 1.2; S.C.
 Radioactive Material License # 097, Amendment # 48, Condition 22.

Summary: Chase Environmental Group, Inc. (Company) failed to utilize the proper manifest for a shipment of radioactive waste that it delivered to Chem-Nuclear in Barnwell, S.C., in April, 2004. (This was the third violation of R. 61-83 in a twelve (12) month period; the first two (2) violations resulted in warning letters.) Failure to utilize the proper manifest constitutes a violation of the Regulation and of Radioactive Material License # 097.

Action: The Company agreed to submit corrective action measures to the Department and to pay a civil penalty of one thousand dollars (\$1,000.00). The Department received payment in full of the civil penalty on August 25, 2004, and approved the Company's corrective action measures on August 26, 2004.

Underground Storage Tank Enforcement

- 3) Order Type and Number: Consent Order 04-0531-UST
 Order Date: September 10, 2004
 Respondent: **TA Operating Corporation**
 Facility: Travelcenters of America
 Location/Mailing Address: 1402 E. Main Street
 Duncan, SC

County: Spartanburg
Previous Orders: None
Permit/ID Number: 08566
Violations Cited: Underground Storage Tank Control Regulations, R.61-92, §280.52; R.61-92, §280.34.

Summary: TA Operating Corporation is a national fuel marketer with home offices in Westlake, Ohio. The Respondent has violated the Underground Storage Tank Control Regulations as follows: failure to investigate and confirm a suspected release within a reasonable time period and failure to provide records to the Department upon request.

Action: The Respondent has agreed to complete and submit soil sample analysis results for the area under a leaking spill bucket, which fits around the fill pipe and collects fuel spilled during fuel transfer, and pay a civil penalty in the amount of six hundred dollars (\$600.00).

BUREAU OF WATER

Drinking Water Enforcement

4) Order Type and Number: Consent Order 04-172-DW
Order Date: September 16, 2004
Respondent: **Isaiah Kelly**
Facility: Kelly's Store Public Water System (PWS)
Location/Mailing Address: 1515 Old Wire Road
Bennettsville, S.C. 29512
County: Marlboro
Previous Orders: 04-075-DW
Permit/ID Number: 3470907
Violations Cited: S.C. Code Ann. Regs. 61-30(G)(2) (a)(i), 61-58.5(C)(2)(c), and 61-58.5(G)(1)(c)(i)

Summary: Isaiah Kelly (Respondent) owns and is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fee Regulations as follows: failure to monitor for nitrate and microbiological contaminants; failure to issue public notification; and failure to submit drinking water fees for the 2002, 2003, and 2004 fiscal years.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with applicable State and Federal laws and regulations; pay the balance of the drinking water fees in the amount of nine hundred ninety-six dollars and eighty-eight cents (\$996.88) in quarterly payments; and pay a

suspended penalty in the amount of seven thousand five hundred dollars (\$7,500.00) if he fails to meet any requirement in this Order.

- 5) Order Type and Number: Consent Order 04-173-DW
 Order Date: September 16, 2004
 Respondent: **William McRae**
 Facility: Boone Hall Plantation
 Location/Mailing Address: P.O. Box 1554
 Mt. Pleasant, S.C. 29465

 County: Charleston
 Previous Orders: None
 Permit/ID Number: 2350022
 Violations Cited: S.C. Code Ann. Regs. 61-58.1(B)(1)
 and 61-58.1(K)(1)

Summary: William McRae (Respondent) d/b/a Boone Hall Plantation is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: modified a PWS without obtaining a permit to construct or approval to operate.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; obtain a construction permit and final approval to operate the modified PWS; and pay a civil penalty in the amount of two thousand eight hundred dollars (\$2,800.00) in quarterly installments.

- 6) Order Type and Number: Consent Order 04-174-DW
 Order Date: September 16, 2004
 Respondent: **Mary Rancourt**
 Facility: See Wee Restaurant
 Location/Mailing Address: 4808 Highway 17 North
 Awendaw, S.C. 29429

 County: Charleston
 Previous Orders: None
 Permit/ID Number: 4320002
 Violations Cited: S.C. Code Ann. Regs. 61-58.5
 (F)(1)(b), and 61-58.7(B)

Summary: Mary Rancourt (Respondent) d/b/a See Wee Restaurant is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for bacteriological contaminants and failed to properly operate and maintain the PWS.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; correct all

deficiencies listed on the January 8, 2004 sanitary survey and contact the Trident Environmental Quality Control (EQC) Office to schedule an inspection to verify correction of the deficiencies; submit a construction application package to obtain a permit to connect the See Wee Restaurant to the Town of Awendaw Water System; within 90 days of the issuance of the construction permit, complete the connection to the Town of Awendaw; within 30 days of the completion of the connection to the water system, obtain final approval to operate from the Department; have a certified well driller properly abandon the existing well; contact the Trident EQC Office to request a final site inspection; and pay a **stipulated penalty** in the amount of two thousand eight hundred dollars (\$2800.00) if she fails to meet any requirement of this Order.

- 7) Order Type and Number: Consent Order 04-175-DW
 Order Date: September 20, 2004
 Respondent: **Willie Wright**
 Facility: N/A
 Location/Mailing Address: 1011 Bass Street
 Sumter, S.C. 29150

 County: Sumter
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: S.C. Code Ann. § 44-55-40(N), S.C.
 Code Ann. Regs. 61-71(D)(1), 61-71(F)(2), 61-71(F)(8), 61-71(F)(11)(a)
 and 61-71(F)(12)(a)

Summary: Willie Wright (Respondent) is involved in the business of well drilling in the State of South Carolina. The Respondent has violated the State Safe Drinking Water Act and South Carolina Well Standards and Regulations as follows: failure to obtain a South Carolina well driller certification prior to installing a well; failure to grout a well; failure to attach an identification plate; failure to properly seal the top of the casing; and failure to submit a water well record form.

Action: The Respondent has agreed to: comply with all applicable State rules and regulations concerning well construction; employ a South Carolina certified well driller to properly grout the well; contact the Wateree EQC Office to schedule an inspection to make sure the grouting procedure is done properly; place an identification plate on the well casing; submit a completed water well record form; and pay a **suspended penalty** in the amount of three thousand two hundred dollars (\$3,200.00) if he fails to meet any requirement in this Order.

- 8) Order Type and Number: Consent Order 04-177-DW
 Order Date: September 27, 2004
 Respondent: **Carol Rutledge**
 Facility: Beaver Creek Mobile Home Park
 (MHP)

<u>Location/Mailing Address:</u>	P.O. Box 2685 CRS Rock Hill, S.C. 29730
<u>County:</u>	York
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	4660033
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.1(O)(3) and 61-58.7(B)(1)

Summary: Carol Rutledge (Respondent) d/b/a Beaver Creek MHP is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to comply with the special conditions of Operating Permit No. 466033 and failed to properly operate and maintain the PWS.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit to the Department the special condition requirements in Operating Permit No. 4660033; correct all of the deficiencies listed on the June 15, 2004 sanitary survey; contact the Catawba EQC Office to schedule an inspection to verify corrections; and pay a civil penalty in the amount of one thousand seven hundred dollars (**\$1,700.00**).

Water Pollution Enforcement

9)	<u>Order Type and Number:</u>	Administrative Order 04-167-W
	<u>Order Date:</u>	August 27, 2004
	<u>Respondent:</u>	Buckhead Land Group, LLC
	<u>Facility:</u>	Broad Oak Farms Subdivision, Pine Shadow Estates, Glenwood Farms Subdivision Phases I&II, and Green Pond Farms
	<u>Location/Mailing Address:</u>	151 Main Street Wagener, S.C. 29164
	<u>County:</u>	Aiken
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-90(a), S.C. Code Ann. Regs. 72-305.B(3) and 307.B

Summary: Buckhead Land Group, LLC (Respondent) owns and is responsible for grading, clearing and construction activities. The Respondent has violated the Pollution Control Act and the South Carolina Stormwater Management and Sediment Control Regulation as follows: land disturbing activities were initiated prior to obtaining a permit; failed to properly operate and

maintain all facilities and systems of treatment and control; and discharged sediment into the environment.

Action: The Respondent has been ordered to: apply for stormwater permits; submit a report by a South Carolina Registered Professional Engineer certifying that all stormwater controls have been installed and are properly functioning; and pay a civil penalty in the amount of thirty-seven thousand dollars (**\$37,000.00**).

10) Order Type and Number: Consent Order 04-169-W
Order Date: September 10, 2004
Respondent: **The C.F. Sauer Company, Inc.**
Facility: The C.F. Sauer Company, Inc.
Wastewater Pretreatment Facility
(WWPTF)
Location/Mailing Address: P.O. Box 2346
Greenville, S.C. 29602
County: Greenville
Previous Orders: None
Permit/ID Number: ND0080934
Violations Cited: S.C. Code Ann. §§ 48-1-90(a), 48-1-110(d), S.C. Code Ann. Regs. 61-9.505.41(e) and (l)(6)(i)

Summary: The C.F. Sauer Company, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWPTF. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits as follows: failed to properly operate and maintain all treatment units; failed to properly notify the Department of several unauthorized discharges from its WWPTF allowing the discharge of partial treated wastewater into the environment and waters of the State.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a corrective action plan (CAP) including a schedule of implementation detailing steps already taken and steps to be taken to prevent any additional discharges or spills; and pay a civil penalty in the amount of sixteen thousand eight hundred dollars (**\$16,800.00**). The civil penalty has been paid.

11) Order Type and Number: Consent Order 04-170-W
Order Date: September 2, 2004
Respondent: **Easley Site Trust**
Facility: Easley Site Trust Remediation Site
Location/Mailing Address: 183 Rolling Hills Circle
Greenville, S.C. 29640
County: Pickens
Previous Orders: None

Permit/ID Number: SC0046396
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: Easley Site Trust (Respondent) owns and is responsible for the proper operation and maintenance of a groundwater remediation system (GWRS). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits of the NPDES Permit for vinyl chloride, total iron and total aluminum.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a summary of corrective actions taken to ensure compliance with the NPDES Permit; and pay a civil penalty in the amount of two thousand eight hundred dollars (\$2,800.00).

12) Order Type and Number: Consent Order 04-178-W
Order Date: September 27, 2004
Respondent: **Calhoun County**
Facility: I-26 Rest Area
Location/Mailing Address: Calhoun County Courthouse Annex
Suite 108
St. Matthews, S.C. 29135
County: Calhoun
Previous Orders: None
Permit/ID Number: SC0040339
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: Calhoun County (Respondent) owns and is responsible for a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act as follows: failed to comply with the effluent limits for carbonaceous biochemical oxygen demand (CBOD).

Action: The Respondent has agreed to: pay a civil penalty in the amount of one thousand dollars (\$1,000.00); and a **stipulated penalty** in the amount of four hundred dollars (\$400.00) for any CBOD violations that occur within 90 days of the Order date.

BUREAU OF AIR QUALITY

13) Order Type and Number: Consent Order 04-059-A
Order Date: September 27, 2004
Respondent: **Diebold Southeast Manufacturing, Inc.**

Facility: Diebold Southeast Manufacturing, Inc.
Location/Mailing Address: 1485 Diebold Dr
Sumter, SC 29153
County: Sumter
Previous Orders: None
Permit/ID Number: 2140-0101
Violations Cited: S.C. Code Ann. § 48-1-110(d)

Summary: Diebold Southeast Manufacturing Inc. (Respondent), located in Sumter, South Carolina, manufactures steel shells for automatic teller machines and security chests. The Respondent violated South Carolina Air Pollution Control Regulations, as follows: failure to record daily baghouse pressure drop readings on thirty separate days during the period of August 28, 2003, through May 14, 2004.

Action: The Respondent has agreed to: record daily baghouse pressure drop readings as required by its Permit, and pay a civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**). The penalty has been paid.

14) Order Type and Number: Consent Order 04-060-A
Order Date: September 27, 2004
Respondent: **S&T Grading & Excavating, Inc.**
Facility: S&T Grading & Excavating, Inc.
Location/Mailing Address: 1848 Old Orangeburg Rd
Lexington, SC 29072
County: Lexington
Previous Orders: None
Permit/ID Number: 9900-0391
Violations Cited: U.S. EPA Regulations 40 CFR 60.672(a), 60.7(a)(1), 60.7(a)(3), and 60.8(a); South Carolina Air Pollution Control Regulation 61-62.60, Subpart OOO; S.C. Code Ann. § 48-1-110(d); and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements

Summary: S&T Grading & Excavating, Inc. (Respondent) operates a portable 160 ton-per-hour crushing operation consisting of a primary crusher and screen. The Respondent violated Federal and State Air Quality Regulations, as follows: failure to submit notification of the dates of construction and initial startup of the crusher; failure to conduct a performance test in accordance with the Regulations; failure to request an operating permit at least 15 days prior to operating the crusher; and failure to notify the Department in writing and obtain permission before relocating the crusher.

Action: The Respondent has agreed to: notify the Department in writing and obtain permission before relocating the crusher; submit the required notifications; submit a list of locations and dates for each site where it has operated the crusher; submit a request for an operating permit for the crusher; conduct a Department-approved performance test for the crusher to demonstrate compliance with particulate matter emissions limits; and pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**) payable in three installments. The first installment has been paid.

- 15) Order Type and Number: Consent Order 04-061-A
Order Date: September 27, 2004
Respondent: **Dana Corporation-Heavy Vehicle Technology Systems Group**
Facility: Dana Corporation-Heavy Vehicle Technology Systems Group
Location/Mailing Address: 1235 Commerce Drive
Lugoff, SC 29078
County: Kershaw
Previous Orders: None
Permit/ID Number: TV-1380-0032
Violations Cited: S.C. Code Ann. 48-1-110(d), South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program, and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements

Summary: Dana Corporation-Heavy Vehicle Technology Systems Group (Respondent), located in Lugoff, South Carolina, manufactures rear axle assemblies and suspensions for long-distance trailers. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to submit a TVACC for the reporting period ending September 29, 2003; failure to maintain records of daily consumption of all process-related materials, monthly VOC and HAP emissions since July 31, 2003; failure to submit an annual VOC/HAP report for the reporting period ending September 29, 2003; failure to perform monthly visual inspections on its paint booth since January 14, 2003; failure to submit semiannual visual inspection reports for reporting periods ending March 29 and September 29, 2003; and failure to obtain required Department-issued permits prior to installing an air filter cartridge, 12 welders, a washer, a paint booth, a cure oven, and a drying oven..

Action: The Respondent has agreed to: submit timely and accurate Title V Annual Compliance Certifications; maintain records of operational parameters and maintenance activities as required by its Permit; submit timely and accurate monitoring and operational records as required by its Permit; apply for and obtain necessary permits or exemptions from the Department prior to installation or

alteration of any source of air emissions; and pay a civil penalty in the amount of seventeen thousand five hundred dollars (**\$17,500.00**). The penalty has been paid.

- 16) Order Type and Number: Consent Order 04-062-A
 Order Date: September 10, 2004
 Respondent: **City of Sumter**
 Facility: Wastewater Sludge
 Drying Facility
 Location/Mailing Address: PO Box 1449
 Sumter, SC 29151
 County: Sumter
 Previous Orders: 00-079-W (\$7,700); 01-253-W
 (\$4,200)
 Permit/ID Number: 2140-0118
 Violations Cited: S.C. Code Ann. § 48-1-110(d)

Summary: The City of Sumter - Wasterwater Sludge Drying Facility (Respondent), located in Sumter, South Carolina, operates a sludge drying process at its wastewater treatment facility. The Respondent has violated S.C. Code Ann. § 48-1-110(d), as follows: failure to record daily baghouse pressure differential readings, failure to document corrective actions or explanations for pressure differential readings outside of the established ranges for the venturi scrubber and baghouse, and failure to maintain the pressure differential gauge on the baghouse, as required by its Permit.

Action: The Respondent has agreed to: submit revised pressure differential ranges for the venturi scrubber, multiclone, and baghouse, and include justification and data to support these ranges; record daily pressure differential readings for the venturi scrubber, multiclone, and baghouse; document corrective actions or explanations for out-of-range pressure differential readings for the venturi scrubber, multiclone, and baghouse; and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

- 17) Order Type and Number: Consent Order 04-063-A
 Order Date: September 27, 2004
 Respondent: **McCall Farms, Inc.**
 Facility: McCall Farms, Inc.
 Location/Mailing Address: 6615 South Irby St
 Effingham, SC 29541
 County: Florence
 Previous Orders: 03-022-W (\$16,550)
 Permit/ID Number: GCM02-1040-0070
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.1, Section II, Permit Requirements and S.C. Ann. § 48-
 1-110(d)

Summary: McCall Farms, Inc. (Respondent), located in Effingham, South Carolina, utilizes two boilers to generate steam for cooking and canning vegetables. The Respondent has violated the Pollution Control Act and South Carolina Air Pollution Control Regulations, as follows: failure to obtain required Department-issued permits prior to installing and operating a peanut unloading and screening process, and failure to submit quarterly fuel usage reports for 2003 in accordance with the schedule established by its Permit.

Action: The Respondent has agreed to: submit an application for a construction permit for the peanut unloading and screening process; request an operating permit for the peanut unloading and screening process; submit quarterly fuel usage reports in accordance with the schedule established by its Permit; obtain required Department-issued permits or exemptions from permitting prior to installing, operating, or altering sources of air contaminants in the future; and pay a civil penalty in the amount of five thousand dollars (\$5,000.00).

18) Order Type and Number: Consent Order 04-064-A
Order Date: September 10, 2004
Respondent: **Michelin North America, Inc.**
Facility: Michelin North America, Inc.
Location/Mailing Address: 2420 Two Notch Rd
PO Box 579
Lexington, SC 29071-0579
County: Lexington
Previous Orders: 03-065-A (\$111,500)
Permit/ID Number: 1560-0042
Violations Cited: S.C. Code Ann. § 48-1-90(a); S.C. Code Ann. § 48-1-110(d); South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program; and Consent Order 03-065-A

Summary: Michelin North America, Inc. (Respondent), owns and operates a facility in Lexington, South Carolina, where it produces automobile and light truck tires (US5 Plant). The Respondent violated S.C. Code Ann. § 48-1-90(a), S.C. Code Ann. § 48-1-110(d), South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program, and Consent Order 03-065-A as follows: failure to submit to the Department and to the EPA an accurate and complete Title V Annual Compliance Certification (TVACC) for the January 1 through December 31, 2003, reporting period; failure to maintain the required average Volatile Organic Compound (VOC) capture efficiency pursuant to South Carolina Air Pollution Control Regulation 62.5, Standard 5.1, Lowest Achievable Emission Rate ("LAER") Applicable to Volatile Organic Compounds, for extruder BD8; failure to maintain the required average VOC capture efficiency pursuant to Best Available Control Technology (BACT) and LAER for extruders BD11, BD12, and BD13; failure to maintain the required average VOC capture efficiency pursuant to LAER for Michelin A, B, and C proprietary processes,

which are portions of MAC1, MAC2, MAF1, and MAF2; failure to maintain total VOC emissions to less than or equal to 642 kilograms of VOC per 31 days for PAX extruder BD14; and failure to ensure that the required minimum average VOC capture efficiency was maintained at the US5 Plant.

Action: Respondent has agreed to: henceforth submit a complete and accurate TVACC to the Department and the EPA for each reporting period; maintain required average VOC capture and destruction efficiencies in accordance with BACT and LAER requirements and its Permits; and pay a civil penalty in the amount of twenty-nine thousand dollars (**\$29,000.00**).